

66376-223-7.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	PATENT
)	
Sarof SAUER et al.)	Group: Unknown
)	
Serial No.: PCT/EP98/03349)	Examiner: Unknown
(09/446,128))	
Filed: 4 June 1998)	
)	
PROCESS FOR FURTHER)	
PROCESSING OF SMALL GLASS)	
PARTICLES)	

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DECLARATION

Washington, D.C.

Honorable Director for Patents
Washington, D.C. 20231

Sir:

I, Michael Babeluk, hereby declare and state as follows.

1. I am an Austrian patent agent and the principal owner of
Patentanwalt Babeluk, a patent firm located at Mariahilfer Gürtel 39/17,
A-1150 Wien, AUSTRIA.

2. I represent Starshine Gastechnologie GmbH of Aigen-Voglhut,
Austria with respect to their patent matters, including the filing and
prosecution of the above-identified patent application, and the filing and
prosecution of U.S. Patent Application No. 09/446,137, which is the U.S.
national phase filing of PCT/EP98/03348.

3. On February 12, 2001 I mailed a letter to Dr. Sarolf Sauer, one
of the coinventors of the above-identified application, as well as one of

the coinventors in U.S. Patent Application No. 09/446,137, together with complete copies of each of the two applications, including specification, claims, and associated Declaration/Power of Attorney for U.S. Patent Application No. 09/446,128, and specification, claims, drawings and Declaration/Power of Attorney for U.S. Patent Application No. 09/446,137, requesting that he review these documents, then execute the applications, and then mail them back to me by February 19, 2001. A copy of my letter (and translation) is attached.

4. No reply from Dr. Sauer was received by February 19, 2001, nor has one been received to date.

5. On February 19, 2001 I received a letter from Dr. Ingrid Weiss, Dr. Sauer's lawyer, stating that Dr. Sauer had forwarded to him my letter of February 12, 2001 and that Dr. Sauer had no intention of executing the documents (applications). A copy of this letter (and translation) is attached.

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I further more declare that all statements made herein of my own knowledge and that all statement made on information and belief are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001, Title 18 United States Code, and that such willful false statements may jeopardize

the validity of the application or any patent issuing therefrom.


Michael Babeluk

21 März 2001

Date